



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

FEB 09 2017

CERTIFIED MAIL 7016 1970 0000 8992 6540
RETURN RECEIPT REQUESTED

Mr. Michael Patrick, P.E.
Director, Waste Resources Division
City of Chattanooga
455 Moccasin Bend Road
Chattanooga, Tennessee 37405

Re: Extension Approval for the Additional Operational Plan
Consent Decree, U.S. District Court Civil Action Case: No. 1:12-cv-00245

Dear Mr. Patrick:

The U.S. Environmental Protection Agency Region 4 and the Tennessee Department of Environment and Conservation (TDEC) have received a Request for Extension, dated January 30, 2017, from the City of Chattanooga (the City) regarding the Additional Operation Plan (AOP), which is required by Paragraph 24(a) of the Consent Decree. The City has requested an additional six (6) months for developing and submitting the AOP due to a lack of rain which resulted in not enough discharge sampling events available during the monitoring period to validate the model. In accordance with Section XI (Force Majeure) of the Consent Decree, the EPA, after consultation with TDEC, hereby agrees to extend the submittal date for the AOP from April 24, 2017, to October 24, 2017. The City shall continue to update the EPA and TDEC regarding the progress of the AOP, as well as the implementation of the Post Construction Compliance Monitoring Program, in its Semi-Annual Work Progress Reports.

Please contact Ms. Sara Janovitz at (404) 562-9870 or via email at janovitz.sara@epa.gov if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Maurice L. Horsey, IV", is positioned above the typed name.

Maurice L. Horsey, IV, Chief
Municipal & Industrial Enforcement Section
NPDES Permitting and Enforcement Branch

cc: See Attached Mailing List

Mailing List:

Mr. Karl Fingerhood
U.S. Department of Justice, Washington, D.C.

Mr. Phillip Hilliard
Office of the Attorney General

Ms. Jessica Murphy
Tennessee Department of Environment and Conservation

Mr. Donald L. Norris
City of Chattanooga

Mr. Wade Hinton
City of Chattanooga

Mr. Adam Sowatzka
King & Spalding LLP

Ms. Shelby Ward
Tennessee Clean Water Network